



PATENT
Attorney Docket No.: PTI-001CN
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Kornblith
SERIAL NO.: 09/040,161 **GROUP NO.:** 1651
FILING DATE: March 17, 1998 **EXAMINER:** Gitomer, R.
TITLE: Method for Preparing Cell Cultures from Biological Specimens for
Chemotherapeutic and Other Assays

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

In accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified application. Copies of the patents (A1-A22, B1) and publications (C1-C37) on the accompanying Form PTO-1449 are submitted herein.

In accordance with the provisions 37 C.F.R. § 1.97, this statement is being filed before the mailing of a first Office action after the filing of a Request for Continued Examination. It is respectfully requested that each of the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, be made of record in this application.

Additionally, as requested by the Examiner, the following table lists Applicant's related U.S. utility applications, allowed, pending, and abandoned. It is respectfully requested that Applicant's related U.S. applications be made of record for consideration by the Examiner in connection with the examination of the above-identified application.

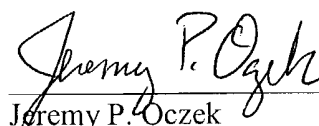
Attorney Docket No.	Patent/ Serial No.	Priority Information	Title	Filing Date	Issue Date/ Status	Inventor(s)
PTI-001	5,728,541	Parent	"Method of Preparing Cell Cultures From Biological Specimens for Chemotherapeutic and Other Assays"	12-Jul-1996	17-Mar-1998	Kornblith
PTI-001CN	09/040,161	CN of 5,728,541	"Method for Preparing Cell Cultures from Biological Specimens for Chemotherapeutic and Other Assays"	17-Mar-1998	Pending	Kornblith
PTI-001CN2	10/205,887	CN of 09/040,161	"Method for Preparing Cell Cultures From Biological Specimens for Chemotherapeutic and Other Assays"	26-Jul-2002	Pending	Kornblith
PTI-002	09/039,957	CIP of 09/040,161	"Method for Culturing and Assaying Cells"	16-Mar-1998	Pending	Kornblith
PTI-003	09/095,993	CIP of 09/040,161	"Staining Agents and Protocols for Characterizing Malignant Cells in Culture"	11-Jun-1998	Pending	Naus Kornblith Burholt Meyer
PTI-004	6,416,967	CIP of 5,728,541 CIP of 09/095,993 CIP of 09/039,957	"Method for Using Multicellular Particulates to Analyze Malignant or Hyperproliferative Tissue"	10-Nov-1998	08-Jul-2002	Kornblith
PTI-005	09/691,492	CIP of 09/095,993 CIP of 09/039,957 CIP of 6,416,967	"Method for Genetic Analysis of Proliferating Cells"	18-Oct-2000	Pending	Kornblith
PTI-005CP	10/399,563	CIP of 09/691,492 (371 Filing of PCT/US01/32540)	"Method for Tandem Genomic/ Proteomic Analysis of Proliferating Cells"	17-Apr-2003	Pending	Kornblith Donovan-Peluso

CONCLUSION

Applicant respectfully requests that each of the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, be made of record and consideration by the Examiner in connection with the examination of this application.

Respectfully submitted,

Dated: February 6, 2004



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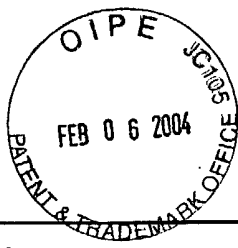
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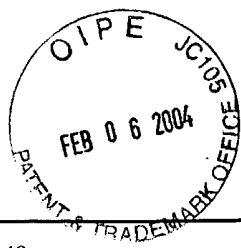
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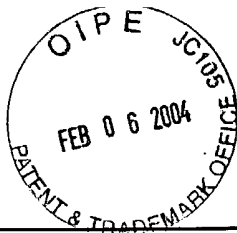
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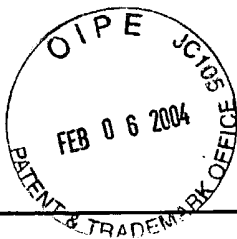
FORM PTO - 1449 INFORMATION DISCLOSURE STATEMENT				ATTORNEY DOCKET NO.: PTL-001CN APPLICANT: Kornblith SERIAL NO.: 09/040,161 FILING DATE: March 17, 1998 GROUP: 1651			
U.S. PATENT DOCUMENTS							
EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A1	4,423,145	12-27-1983	Stampfer <i>et al.</i>			
	A2	4,668,618	05-26-1987	Thornthwaite			
	A3	4,937,187	05-26-1990	Rotman			
	A4	4,996,145	02-26-1991	Weisenthal			
	A5	5,242,806	09-07-1993	Yen-Maguire <i>et al.</i>			
	A6	5,270,172	12-14-1993	Morgan			
	A7	5,443,950	08-22-1995	Naughton <i>et al.</i>			
	A8	5,607,918	03-04-1997	Eriksson <i>et al.</i>			
	A9	5,728,541	03-17-1998	Kornblith			
	A10	5,789,158	08-04-1998	Knowles <i>et al.</i>			
	A11	5,874,218	02-23-1999	Drolet <i>et al.</i>			
	A12	5,888,765	03-30-1999	Patterson <i>et al.</i>			
	A13	5,942,385	08-24-1999	Hirth			
	A14	5,972,639	10-26-1999	Parandoosh			
	A15	6,008,007	12-28-1999	Fruehauf <i>et al.</i>			
	A16	6,020,473	02-01-2000	Keyt <i>et al.</i>			
	A17	6,261,795	07-17-2001	Fruehauf <i>et al.</i>			
	A18	6,303,324	10-16-2001	Fruehauf <i>et al.</i>			
	A19	6,335,170	01-01-2002	Orntoft			
	A20	6,416,967	07-09-2002	Kornblith			
	A21	6,511,806	01-28-2003	Fruehauf <i>et al.</i>			
	A22	2003/0096290 A1	05-22-2003	Fruehauf <i>et al.</i>			
EXAMINER				DATE CONSIDERED			



FORM PTO - 1449 INFORMATION DISCLOSURE STATEMENT					ATTORNEY DOCKET NO.: PTI-001CN APPLICANT: Kornblith SERIAL NO.: 09/040,161 FILING DATE: March 17, 1998 GROUP: 1651				
FOREIGN PATENT DOCUMENTS									
EXAM. INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG
	B1	WO 96/10742	04-11-1996	WO					
OTHER ART, JOURNAL ARTICLES, ETC.									
EXAM. INIT.	OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)								
	C1	Alley, M., <i>et al.</i> , "Morphometric and Colorimetric Analyses of Human Tumor Cell Line Growth and Drug Sensitivity in Soft Agar Culture," Cancer Research, vol. 51, pp. 1247-1256 (1991).							
	C2	Andreotti, P., <i>et al.</i> , "TCA-100 Tumour Chemosensitivity Assay: Differences in Sensitivity between Cultured Tumour Cell Lines and Clinical Studies," Journal of Bioluminescence and Chemiluminescence, vol. 9, pp. 373-378 (1994).							
	C3	Arnold, J., <i>et al.</i> , "Evaluation of Chemopreventative Agents in Different Mechanistic Classes Using a Rat Tracheal Epithelial Cell Culture Transformation Assay," Cancer Research, vol. 55, pp. 537-543 (1995).							
	C4	Bosanquet, A., "Short-term <i>In Vitro</i> Drug Sensitivity Tests For Cancer Chemotherapy. A Summary of Correlations of Test Result With Both Patient Response and Survival," FORUM 4.2, pp. 179-195 (1994).							
	C5	Broadley, C., <i>et al.</i> , "A Tissue-Culture Model for the Study of Canine Vocal Fold Fibroblasts," Laryngoscope, vol. 105, no. 1, pp. 23-27 (1995).							
	C6	Burczynski, M., <i>et al.</i> , "Toxicogenomics-Based Discrimination of Toxic Mechanism in HepG2 Human Hepatoma Cells," Toxicological Sciences, vol. 58, no.2, pp. 399-415 (2000).							
	C7	Cilley, R., <i>et al.</i> , "Fetal Lung Development: Airway Pressure Enhances the Expression of Developmental Genes," Journal of Pediatric Surgery, vol. 35, no. 1, pp. 113-119 (2000).							
	C8	Dietel, M., <i>et al.</i> , " <i>In Vitro</i> Prediction of Cytostatic Drug Resistance in Primary Cell Cultures of Solid Malignant Tumours," Eur. J. Cancer, vol. 29A, no. 3, pp. 416-420 (1993).							
	C9	Dudley, D., <i>et al.</i> , "A Human Endometrial Explant System: Validation and Potential Applications," Am. J. Obstet. Gynecol., vol. 167, no. 6, pp. 1774-1780 (1992).							
	C10	Fruehauf, J., " <i>In Vitro</i> Assay-assisted Treatment Selection For Women With Breast or Ovarian Cancer," Endocrine-Related Cancer, vol. 9, pp. 171-182 (2002).							
	C11	Frykholm, G., <i>et al.</i> , "Heterogeneity in Antigenic Expression and Radiosensitivity in Human Colon Carcinoma Cell Lines," In Vitro Cell Dev. Biol., vol. 27A, pp. 900-906 (1991).							
	C12	Fulda, S., <i>et al.</i> , "Antiproliferative Potential of Cytostatic Drugs on Neuroblastoma Cells <i>In Vitro</i> ," Eur. J. Cancer, vol. 31A, no. 4, pp. 616-621 (1995).							
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C13	Gamboa, G., <i>et al.</i> , "Characterization and Development of UCI 107, a Primary Human Ovarian Carcinoma Cell Line," Gynecologic Oncology, vol. 58, pp. 336-343 (1995).	
C14	Gerweck, <i>et al.</i> , "Radiation Sensitivity of Cultured Human Glioblastoma Cells," Radiology, vol. 125, no. 1 pp. 231-234 (1977).	
C15	Ghosh, A., <i>et al.</i> , "Immunohistological Staining of Reactive Mesothelium, Mesothelioma, and Lung Carcinoma with a Panel of Monoclonal Antibodies," J. Clin. Pathol., vol. 40, pp 19-25 (1987).	
C16	Goldsworthy, T., <i>et al.</i> , "Concepts, Labeling Procedures, and Design of Cell Proliferation Studies Relating to Carcinogenesis," Environmental Health Perspectives, vol. 101, supp. 5, pp. 59-66 (1993).	
C17	Gress, T., <i>et al.</i> , "Development of a Database on Transcribed Sequences in Tumour Cells and Identification of Changes in Transcription Patterns Related to Transformation and Other Tumour Cell Properties for the Global Finger Printing Analysis of Human Pancreatic Carcinoma cDNA Libraries," Biomedl. Health Res., vol. 24, pp. 171-181 (1998).	
C18	Hoffman, R., "The Three-Dimensional Question: Can Clinically Relevant Tumor Drug Resistance be Measured <i>In Vitro</i> ?" Cancer and Metastasis Reviews, vol. 13, no. 2, pp. 169-173 (1994).	
C19	Kaaijk, P., <i>et al.</i> , "Daunorubicin and Doxorubicin but not BCNU have Deleterious Effects on Organotypic Multicellular Spheroids of Gliomas," British Journal of Cancer, vol. 74, no. 2, pp. 187-193 (1996).	
C20	Kitamura, M., <i>et al.</i> , "Chemosensitivity of Gastric Cancer Using Adhesive Tumor Cell Culture System," Oncology Reports, vol. 2, no. 1, pp. 27-31 (1995).	
C21	Kornblith, P., "Role of Tissue Culture in Prediction of Malignancy," Clinical Neurosurgery, vol. 25, pp. 346-376 (1978).	
C22	Kornblith, P., <i>et al.</i> , "Variations in Response of Human Brain Tumors to BCNU <i>In Vitro</i> ," Journal of Neurosurgery, vol. 48, no. 4, pp. 580-586 (1978).	
C23	Kruczynski, A., <i>et al.</i> , "Evidence of a Direct Relationship Between the Increase in the <i>In Vitro</i> Passage Number of Human Non-Small-Cell-Lung Cancer Primocultures and their Chemosensitivity," Anticancer Research, vol. 13, pp. 507-514 (1993).	
C24	McGuire, W., <i>et al.</i> , "In vitro assays to Predict Drug Sensitivity and Drug Resistance, A Panel Discussion," Breast Cancer Research and Treatment, vol. 12, pp. 7-21 (1988).	
C25	Nance, K., <i>et al.</i> , "Immunocytochemical Panel for the Identification of Malignant Cells in Serous Effusions," Am. J. Clin. Pathol., vol. 95, pp. 867-874 (1991).	
C26	Persons, D., <i>et al.</i> , "Interphase Molecular Cytogenetic Analysis of Epithelial Ovarian Carcinomas," American Journal of Pathology, vol. 142, no. 3, pp. 733-741 (1993).	
C27	Pinkus, G., <i>et al.</i> , "Optimal Immunoreactivity of Keratin Proteins in Formalin-Fixed, Paraffin-Embedded Tissue Requires Preliminary Trypsinization," Journal of Histochemistry and Cytochemistry, vol. 33, no. 5, pp. 465-473 (1985).	
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	C28	Raju, G., "The Histological and Immunohistochemical Evidence of Squamous Metaplasia from the Myoepithelial Cells in the Breast," <i>Histopathology</i> , vol. 17, no. 3, pp. 272-275 (1990).
	C29	Robert, J., "Chemosensitivity Testing. Prediction of Response to Anticancer Drugs Using In Vitro Assays," <i>Electronic Journal of Oncology</i> , vol. 2, pp. 198-210 (1999).
	C30	Singh, H., <i>et al.</i> , "Significance of Epithelial Membrane Antigen in the Work-Up of Problematic Serous Effusions," <i>Diagnostic Cytopathology</i> , vol. 13, no. 1, pp. 3-7 (1995).
	C31	Stephens, S., <i>et al.</i> , "A Longitudinal Study of γ -Interferon Production by Peripheral Blood Mononuclear Cells from Breast- and Bottle-Fed Infants," <i>Clin. Exp. Immunol.</i> , vol. 65, pp. 396-400 (1986).
	C32	Stewart, R., <i>et al.</i> , "Glutamate Accumulation By Human Gliomas and Meningiomas in Tissue Culture," <i>Brain Research</i> , vol. 118, no. 3, pp. 441-452 (1976).
	C33	Stoop, J., <i>et al.</i> , "Identification of Malignant Cells in Serous Effusions Using a Panel of Monoclonal Antibodies Ber-EP4, MCA-b-12 and EMA," <i>Cytopathology</i> , vol. 3, pp. 297-302 (1992).
	C34	Wiseman, I., "A Modification of Hepatest, using the Terasaki Plate, for the Detection of Hb _s Ag in Blood Donors," <i>J. Clin. Pathol.</i> , vol. 29, no. 3, pp. 264-266 (1976).
	C35	International Search Report for PCT/US01/32540 dated April 18, 2002.
	C36	International Search Report for PCT/US97/11595 dated August 17, 1998.
	C37	International Search Report for EP 97 93 3267 dated May 3, 2002.
EXAMINER		DATE CONSIDERED